

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

APPEAL FROM ORDER No 79 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE S.D.DAVE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
  2. To be referred to the Reporter or not?
  3. Whether Their Lordships wish to see the fair copy of the judgement?
  4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
  5. Whether it is to be circulated to the Civil Judge?
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RAMABHAI JEHBHAI

Versus

DIVISIONAL MANAGER

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Appearance:

MR MUKESH R SHAH for Petitioner

MR HS MUNSHAW for Respondent No. 1

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CORAM : MR.JUSTICE S.D.DAVE

Date of decision: 17/03/97

ORAL JUDGEMENT

The learned Counsels have been heard. The Appeal is admitted and the same is taken for final hearing with the consent of the learned Counsels.

It is clear that the Civil forum is called upon

to express the opinion regarding the exact height of the appellant-plaintiff.

The appellant-plaintiff is the candidate for certain post under the Gujarat State Road Transport Corporation. He would be eligible for consideration, provided he is having a specified height. There has been a debate on the question of the exact height of the appellant-plaintiff. The Court Commissioner has given his finding and other Medical expert has also given his own finding. Yet, it appears that, the controversy has not been resolved. The present, Appeal From Order, therefore, can be disposed of, by saying that, the Managing Director of the respondent-Corporation or a subordinate officer shall arrange for taking the exact height of the appellant-plaintiff, by the Civil Surgeon, at Sola Hospital. This should be done within a period of one month hereof. The finding of the said authority at Sola Hospital shall be accepted by both the sides as the final finding regarding the exact height of the appellant.

The present Appeal From Order stands disposed of, with the above said directions, with no order as to costs. Direct service is permitted.

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